IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

RASHAD LEE, #213823,)
Plaintiff,)
v.) CIVIL ACTION NO. 2:09cv879-MHT
L.B. SMITHART, et al.,) (WO))
Defendants.)

FINAL JUDGMENT

Upon consideration of the prior proceedings, opinions and orders entered in this case, it is ORDERED and ADJUDGED that this action is dismissed with prejudice prior to service of process.

It is further ORDERED that costs are taxed against plaintiff, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 12th day of May, 2010.

/s/ MYRON H. THOMPSON UNITED STATES DISTRICT JUDGE